

REMARKS

Referencing the Office Action, there is no indication that the formal drawings have been approved. Applicants respectfully request an indication that the formal drawings are approved.

The species of Figs. 11(a)-11(d) was elected and examined. Non-elected Claims 2, 4, 5, 7-10, 12-14, 17-19, 22-24, 26 and 27 have been cancelled. Claims 29-45 have been added.

Non-elected independent Claim 3 has been rewritten in dependent form to depend from generic Claim 1. Further, non-elected dependent Claim 28 remains pending.

New Claim 45 also belongs to a non-elected species and depends from Claim 40. Page 8, fourth paragraph of Applicants' specification discloses notches provided with the embodiments of Figures 11(a)-11(d).

Upon allowance of generic independent Claim 1, rejoinder and allowance of Claims 3 and 28 is respectfully requested. Upon allowance of Claim 40, which corresponds to Figure 11(d), rejoinder and allowance of Claim 45 is respectfully requested.

The rejection of Claims 1, 6, 11, 15, 16, 20, 21 and 25 under 35 USC §112, second paragraph, as being indefinite has been considered. Claims 1, 6, 21 and 25 have been amended to clarify the claims. Further, the rejection indicates that the term "unprovided" is an indefinite negative limitation contrary to statute.

Amended Claim 1 now recites that "said grip body is free from a metal insert". This phrase is clearly understandable as the grip body is limited to not include a specific element, a metal insert. MPEP §2173.05(i) indicates that the use of negative limitations is proper so long as the boundaries of the patent claim are not ambiguous or uncertain.

In view of the claim amendments and the comments discussed above, Claims 1, 6, 11, 15, 16, 20, 21 and 25 are believed definite and withdrawal of the rejection under 35 USC §112, second paragraph, is respectfully requested.

The rejection of Claims 1, 6, 11, 15, 16, 20 and 21 under 35 USC §103 has unpatentable over Lee, U.S. Patent No. 5 626 383 in view of Minami, U.S. Patent No. 4 461 507 has been considered.

Lee discloses a wireless weather strip seal having no embedded reinforcement. The weather strip seal includes a carrier structure 12 having legs with decreasing thickness and a Shore A durometer hardness of about 70-100. The legs have root portions projecting inwardly from inner walls thereof and tip portions attached to the root portions. The tip portions are not as hard as the root portions and receive a flange therein. A seal structure 14 is mounted to an outside surface of the rigid carrier structure.

Minami discloses an edge garnish molding assembly 38 having a synthetic resinous drain insert member 40 projecting from a garnish portion 24 for use with an automotive vehicle. The assembly 38 receives a flange and a drain insert member 40. The second weather strip portion 32 that projects outwardly functions as a second weather strip and shields the drain insert member 40.

There is no motivation, absent Applicants' specification, to combine the second weather strip portion 32 of Minami with the weather strip of Lee. Lee does not include a drain insert and thus has no reason or purpose to include the second weather strip 32 of Minami.

Applicants' Claim 1 recites "a grip part having a U-shaped grip body in section" and "a cover lip integrally molded to an outer surface of said grip body". As discussed above, the combination of Lee and Minami does not properly teach this structure.

Claim 1 further recites "the cross section of the grip body having substantially the same width along the entirety thereof". This structure differs from Lee, which has legs 16, 18 tapered to a tip portion 24 at an end thereof.

Dependent Claims 6, 11, 15, 16, 20 and 21 are allowable for the reasons set forth above with respect to independent

Claim 1. Furthermore, Claims 11, 15, 16 and 20 recite that "the grip body is bent along a shape of a corner". This bent corner differs from the arrangement of Lee, which appears to be a molded structure.

The Office Action indicates that bent corners are common knowledge in the art and that heating and cooling process steps are not given patentable weight in a product claim. However, there is no motivation, absent Applicants' specification, to provide a structure having bent corner regions in Lee.

The Office Action indicates that it would have been obvious to provide Lee with the cover lip 32 of Minami in order to conceal a flange. Applicants disagree. As discussed above, the element 32 of Minami is used to cover a drain insert, and not the separate flange. Further, Lee does not cover the sheet metal body 36 that is monolithic with the flange.

For the above reasons, Claims 1, 6, 11, 15, 16, 20 and 21 are believed allowable over Lee and Minami.

The rejection of Claims 21 and 25 as unpatentable over Lee and Minami as applied to Claims 1 and 6, and further in view of Guillon has been considered.

Guillon discloses vehicle weather stripping secured to a frame. In the rejection, Guillon is relied upon to show inner and outer walls having an unequal length.

Applicants' Claims 21 and 25 recite that "the length of the outer wall of the grip part made of highly hardened rubber or resin having a hardness of more than 90 degree is less than the length of the inner wall of the grip part". This embodiment is illustrated in elected Figure 11(b) and clearly is not present in the applied prior art. Furthermore, Claims 21 and 25, by implication, include a grip part having a different hardness extending along the length of the outer wall beyond the portion having a different hardness. Guillon discloses a monolithic grip part.

For the above reasons, Claims 21 and 25 are believed allowable over the combination of Lee, Minami and Guillon.

New Claims 29-44 are believed allowable over the applied prior art.

Applicants' Claims 29-33 correspond to Figure 11(a). Claim 29 recites a grip part including "a rigid part having two lengths and a cross portion defining a generally U-shaped cross section with an opening", "a first inner lip integrally molded to a first one of said facing inner side surfaces of said rigid part and projecting into the opening" and "a second plurality of inner lips integrally molded to the other of said facing inner side surfaces and projecting into the opening, each of the plurality of said inner lips having a length less than the length of said first inner lip". This structure is not disclosed in Lee, in which the inner lips appear to have substantially the same length.

Claim 29 recites the grip body including "a cover lip projecting generally outwardly and away from said rigid part". As discussed above, there is no motivation to combine the second weather strip portion 32 of Minami with the structure of Lee.

Claim 29 further recites said rigid having "substantially the same thickness along the entire cross section thereof". As discussed above, this feature is not present in Lee.

Dependent Claims 30-33 are believed allowable for the same reasons as parent Claim 29. Further, Claim 30 recites that the grip body "includes ends extending beyond the lengths of the rigid part, and wherein a portion of said grip body extends inwardly into the opening at a location beyond one of the lengths of said rigid part". Lee only discloses the rigid carrier structure having tip portions 24. As illustrated in Applicants' Figure 11(a), the grip body 12 has ends extending beyond the ends of the rigid material 18.

Claim 33 recites "said ends of said grip part having a cross section thickness greater than the thickness of said rigid part". Lee does not disclose a grip part having any

portion adjacent the rigid part, much less having a cross section thickness greater than the thickness of the rigid part.

Applicants' independent Claim 34 corresponds to Applicants' Figure 11(b). Claim 34 recites "said rigid part having substantially the same thickness along the entire cross section thereof", "a first inner lip projecting into the opening from a first one of the facing inner side surfaces" and "a second plurality of inner lips projecting into the opening from the other of said facing inner side surfaces, each of said plurality of inner lips having a length less than the length of said first inner lip". Claim 34 further recites "a cover lip integrally molded to the outer face of said rigid part and projecting generally outwardly and away from said rigid part". As discussed above, these features are believed to distinguish the applied prior art.

Claim 34 further recites "a grip body integrally molded to the entirety of said inner face of said rigid part". Lee discloses an inner face of a rigid part of the grip body having tip portions molded on roots. There is no disclosure or suggestion of having the tip portions molded about the entirety of the inner surface of Lee.

Dependent Claims 35 and 36 are believed allowable for the same reasons as parent Claim 34.

Independent Claim 37 corresponds to Applicants' Figure 11(c) and recites the rigid part "having substantially the same thickness along the entire cross section thereof", and the first inner lip and second plurality of inner lips arranged as discussed above, including the second plurality of inner lips having a length less than the first inner lip.

Claims 38 and 39 are believed allowable for the same reasons as parent Claim 37.

Applicants' independent Claim 40 corresponds to the embodiment illustrated in Applicants' Figure 11(d). Claim 40 recites "a rigid part generally J-shaped in cross section with

an opening defining an inner face therein". Lee discloses a U-shaped cross section for the weather strip.


Claim 40 further recites the grip body "having ends extending outward beyond the ends of said J-shaped rigid part that increase the depth of said opening". Lee does not disclose a grip body extending beyond the rigid parts of the weather strip, much less increasing the depth of the opening.

Dependent Claims 41-44 are believed allowable for the same reasons as parent Claim 40.

For the above reasons, Claims 29-44 are believed allowable.

Favorable reconsideration of this application and allowance of Claims 1, 6, 11, 15, 16, 20, 21, 25 and 29-44 is respectfully requested. Upon allowance of Claims 1 and 40, rejoinder and allowance of non-elected Claims 3, 28 and 45 is respectfully requested.

Respectfully submitted,



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136.05/04